

*Application No. 10/053298  
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*Amendment  
Attorney Docket No. S63.2B-10429-US01*

**Amendments To The Drawings:**

The attached two sheets of drawings include changes to Figures 1 and 2. The first sheet includes changes to Figure 1 and replaces the previously filed drawing. The proximal ridge 52 is now shown in Figure 1.

The second sheet includes Figures 2 and 3, and replaces the original sheet including Figures 2 and 3. Figure 2 is amended to correct an error. The leader line from reference numeral 80 in Figure 2 has been extended to point to the central shaft, as described in the specification.

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#### **Remarks**

This Amendment is in response to the Office Action dated December 28, 2004. Claims 1-7 and 9-18 are pending in this application. The Office Action objected to the drawings; rejected claims 13-18 under 35 USC § 112, first paragraph; and rejected claims 1-7 and 9-18 under 35 USC § 103 over Dorros (US 5,720,735) in view of Blaeser et al. (US 6,168,617; hereinafter "Blaeser").

By this Amendment, claims 1, 7 and 13 are amended and claim 14 is cancelled without prejudice or disclaimer. Applicant reserves the right to prosecute all cancelled subject matter in a subsequent patent application claiming priority to the immediate application. The drawings are amended to obviate the Office Action's objections and the specification is amended in light of the amendment to the drawings. Support for the amendment to the drawings and specification may be found at least in original claim 7. No new matter is believed to have been added. Reconsideration in view of the above amendments and the following remarks is requested.

#### **Drawings**

The Office Action objects to the drawings. The attached two sheets of drawings include changes to Figures 1 and 2. The first sheet includes changes to Figure 1 and replaces the previously filed drawing. The claimed proximal ridge 52 is now shown in Figure 1. Support for the amendment may be found at least in original claim 7.

The second sheet includes Figures 2 and 3, and replaces the original sheet including Figures 2 and 3. Figure 2 has been amended to correct an error. The leader line from reference numeral 80 in Figure 2 has been extended to point to the central shaft. Support for the amendment may be found at least at page 6, lines 6-16.

Accordingly, Applicant requests withdrawal of the objection to the drawings.

#### **Claim Rejections - 35 USC § 112**

The Office Action rejects claims 13-18 under 35 USC § 112, first paragraph. The Examiner asserts that the specification fails to disclose a second guidewire positioned adjacent to a central shaft. This rejection is traversed.

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Applicant believes that the Examiner may have misinterpreted independent claim 13. Applicant has amended claim 13 for clarification purposes. Claim 13 now includes the limitations "a first guide wire, the first guide wire being movably positioned within the central shaft" and "a second guide wire, the second guide wire being movably positioned adjacent to the central shaft".

Applicant asserts that at least Figure 1 clearly enables claim 13. A central catheter shaft is shown (not identified by reference numeral). A first guide wire 40 is movably positioned within the central shaft. A second guide wire 60 is also shown, the second guide wire 60 being movably positioned adjacent to the central shaft.

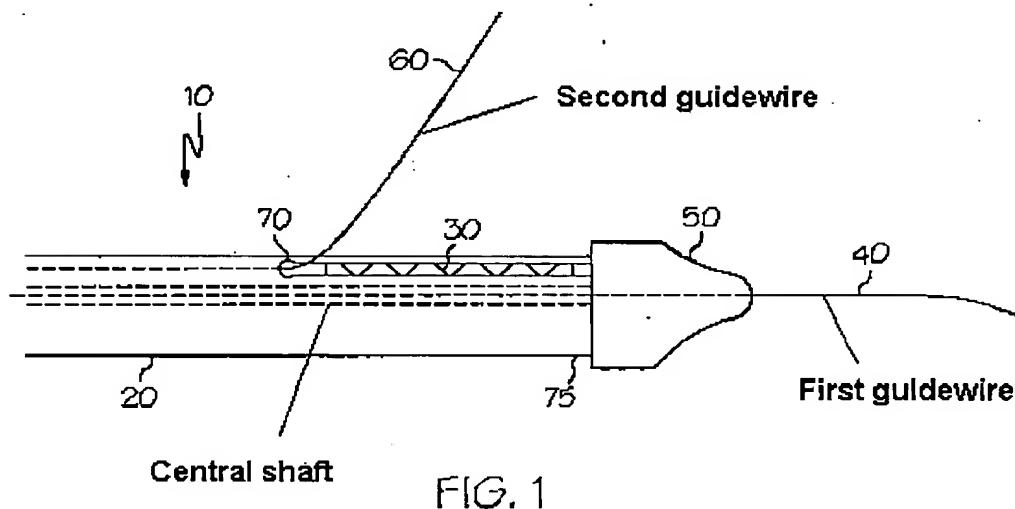


FIG. 1

Applicant asserts that the amendments to claim 13 have been made only to enhance the clarity of the claim, and thus were made for reasons unrelated to patentability. See *Hilton Davis Chemical Co. v. Warner-Jenkinson Co.*, 43 USPQ2d 1152, 1154 (Fed. Cir. 1997).

Accordingly, Applicant requests withdrawal of the rejection under 35 USC § 112.

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**Claim Rejections – 35 USC 103**

The Office Action rejects, under 35 USC § 103, claims 1-7 and 9-18 over Dorros in view of Blaeser. The rejections with respect to claims 7 and 9-12 are traversed. Independent claims 1 and 13 have been amended.

Applicant asserts that neither Dorros nor Blaeser disclose or suggest a guidewire which passes through a cell of a stent, as recited in independent claim 1 and similarly recited in independent claim 13. Each reference does disclose a guidewire and a stent, however, neither reference teaches that the guidewire may pass through a cell of the stent.

Therefore, Applicant asserts that independent claims 1 and 13 are patentable over Dorros in view of Blaeser. Claims 2-7, which depend from independent claim 1, and claims 15-18, which depend from independent claim 13, are patentable over Dorros in view of Blaeser for at least the reasons discussed with respect to the independent claim from which they depend.

With respect to independent claim 7, the rejection under 35 USC § 103 is traversed. Applicant asserts that neither Dorros nor Blaeser disclose or suggest a “distal tip having a proximal ridge”. The Examiner cites Blaeser for the disclosure of a tip. However, the distal elastomeric sock 38 (see Fig. 3; column 4, lines 25-26) disclosed in Blaeser does not have a proximal ridge, as recited in claim 7 as originally filed.

Therefore, Applicant asserts that the applied references do not disclose or suggest all of the limitations of independent claim 7, and claim 7 is patentable over Dorros in view of Blaeser. Claims 9-12 depend from claim 7 and are patentable over Dorros in view of Blaeser for at least the reasons discussed with respect to claim 7.

Accordingly, Applicant requests the withdrawal of the rejections under 35 USC § 103.

**Conclusion**

Based on at least the foregoing amendments and remarks, Applicant respectfully submits this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-7, 9-13 and 15-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to

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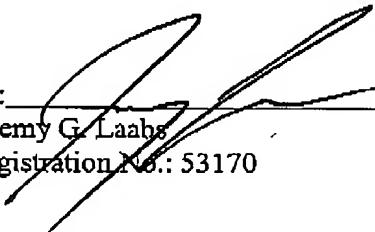
place this application in better condition for allowance, the Examiner is invited to contact  
Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

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